

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
CIVIL ACTION NO. 7:10-cv-00241-BR**

**RODNEY MCCARTNEY,**

**Plaintiff,**

**v.**

**U.S. COMPLIANCE CORPORATION AND  
JAMES ROZIER,**

**Defendants.**

**CONSENT ORDER**

Upon motion to remand by plaintiff Rodney McCartney, pursuant to 28 USC § 1447(c), consent of defendant James Rozier to the motion, and withdrawal by defendant James Rozier of the motion to dismiss previously filed and pending with this Court, the Court determines that remand of the Action to the General Court of Justice, Superior Court Division, Robeson County, North Carolina is appropriate without the necessity of ruling on the defendant's motion to dismiss or the arguments made by the plaintiff in support of his motion to remand. In conjunction with this Consent Order, the plaintiff withdraws his request for costs and attorneys' fees based on the plaintiff's claim that removal was improper and none are, therefore, awarded.

**IT IS HEREBY ORDERED** that plaintiff's motion to remand is granted and that the cause is remanded to the General Court of Justice, Superior Court Division, Robeson County, North Carolina for further proceedings.

**IT IS SO ORDERED.**

**This the 7 day of January, 2011.**



**CONSENTED TO BY:**

**s/ Douglas B. Abrams**

**N.C. State Bar No. 8621**

**Margaret S. Abrams**

**N.C. State Bar No. 9091**

**Noah B. Abrams**

**N.C. State Bar No. 38735**

**ABRAMS & ABRAMS, P.A.**

**2021 Fairview Road**

**Raleigh, NC 27608**

**Phone: (919) 755-9166**

**Fax: (919) 755-9396**

**s/ James W. Musselwhite**

**N.C. State Bar No. 9970**

**Attorney for Plaintiff**

**MUSSELWHITE, MUSSELWHITE,**

**BRANCH & GRANTHAM**

**P.O. Box 1448**

**Lumberton, NC 28359**

**Phone: (910) 738-5277**

**Fax: (910) 738-3678**

**s/ Scott Lewis**

**N.C. State Bar No. 22167**

**Walt Rapp**

**N.C. State Bar No. 31747**

**HEDRICK, GARDNER, KINCHELOE & GAROFALO, L.L.P.**

**Attorney for Defendant James Rozier**

**1838 Sir Tyler Dr., Suite 200**

**Wilmington, NC 28405**

**Phone: (910) 509-9664**

**Fax: (910) 509-9630**